

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

Chambers of  
**Ellen Lipton Hollander**  
District Court Judge

101 West Lombard Street  
Baltimore, Maryland 21201  
410-962-0742

January 9, 2013

Re: *United States v. Mary C. Lewis*  
Criminal No.: ELH-12-0012

Dear Ms. Lewis:

I have received your letter dated January 2, 2013, in which you included the Bureau of Prisons' ("BOP") denial of your request for compassionate release. In your letter, you identify several claims of error by the BOP, including factors that the BOP declined to address in rendering its decision. You also ask that the Court now consider your request.

As I previously indicated, "[a] district court lacks jurisdiction to modify a sentence, including the conditions of confinement, except as otherwise provided in 18 U.S.C. § 3582(b) or Fed. R. Crim. P. 35." Memorandum of Nov. 2, 2012 (ECF 26) (citing *United States v. Goodwin*, 596 F.3d 233, 235 (4th Cir. 2010)). Pursuant to § 3582(b), the Court may entertain a modification of sentence **upon motion by the BOP**. But, the BOP has not filed a motion recommending a modification of sentence. Accordingly, this Court lacks jurisdiction over your request.

I do not know what, if any, administrative appeal rights you may have with respect to the BOP decision. Nor may I render legal advice to you.

Very truly yours,

/s/  
Ellen Lipton Hollander  
United States District Judge

cc: P. Michael Cunningham, Esq.